

103D CONGRESS
1ST SESSION

H. R. 3436

To amend the Food Stamp Act of 1977 to ensure adequate access to retail food stores by recipients of food stamps and to maintain the integrity of the Food Stamp Program.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 3, 1993

Mr. STENHOLM (for himself, Mr. DE LA GARZA, Mr. ROBERTS, Mr. SMITH of Oregon, Mr. ALLARD, Mr. BOEHNER, Mr. BONILLA, Mrs. CLAYTON, Mr. COMBEST, Mr. DOOLEY, Mr. EMERSON, Mr. HOLDEN, Mr. KINGSTON, Ms. LAMBERT, Ms. LONG, Mr. MINGE, Mr. PASTOR, Mr. PENNY, Mr. POMEROY, Mr. ROSE, Mr. HALL of Ohio, and Mr. BISHOP) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Food Stamp Act of 1977 to ensure adequate access to retail food stores by recipients of food stamps and to maintain the integrity of the Food Stamp Program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FOOD STAMP ACT DEFINITIONS.**

4 Effective on the date of enactment of this Act, section
5 3 of the Food Stamp Act of 1977 (7 U.S.C. 2012) is
6 amended by—

1 (1) amending clause (1) of subsection (k) to
2 read as follows:

3 “(1) an establishment or house-to-house trade
4 route which sells food for home preparation and con-
5 sumption and (A) offers for sale on a continuous
6 basis a variety of foods in each of the four categories
7 of staple foods as defined in subsection (u), includ-
8 ing perishable foods in at least two such categories,
9 or (B) has over 50 percent of its total sales in staple
10 foods as defined in subsection (u) of this section, as
11 determined by visual inspection, sales records, pur-
12 chase records, counting of stock keeping units, or
13 other inventory or accounting recordkeeping methods
14 that are customary or reasonable in the retail food
15 industry,”;

16 (2) adding the following new sentence at the
17 end of subsection (k): “An establishment or house-
18 to-house trade route that is authorized at the time
19 of implementation of clause (1) may be considered to
20 meet this definition until its periodic reauthorization
21 or until such time as the eligibility of the firm for
22 continued participation in the food stamp program is
23 evaluated for any reason.”; and

24 (3) adding a new subsection (u) at the end
25 thereof to read as follows:

1 “(u) ‘Staple foods’ means foods in the following cat-
2 egories: (1) meat, poultry, or fish; (2) bread or cereals;
3 (3) vegetables or fruits; and (4) dairy products; but does
4 not include accessory food items such as coffee, tea, cocoa,
5 carbonated and uncarbonated drinks, candy, condiments
6 and spices.”.

7 **SEC. 2. PERIODIC NOTICE.**

8 Section 9(a)(2) of the Food Stamp Act of 1977 (7
9 U.S.C. 2018(a)(2)) is amended to read as follows:

10 “(2) The Secretary shall issue regulations providing
11 for a periodic reauthorization of retail food stores and
12 wholesale food concerns, and providing for periodic notice
13 to participating retail food stores and wholesale food con-
14 cerns of the definitions of ‘retail food store’, ‘staple foods’,
15 ‘eligible foods’, and ‘perishable foods’.”.

16 **SEC. 3. USE AND DISCLOSURE OF INFORMATION PROVIDED**
17 **BY RETAIL FOOD STORES AND WHOLESALE**
18 **FOOD CONCERNS.**

19 Section 9(c) of the Food Stamp Act of 1977 (7
20 U.S.C. 2018(c)) is amended—

21 (1) in the second sentence by inserting after
22 “disclosed to and used by” the following: “Federal
23 law enforcement and investigative agencies and law
24 enforcement and investigative agencies of a State
25 government for the purposes of administering or en-

1 forcing the provisions of this Act or any other Fed-
2 eral or State law and the regulations issued under
3 this Act or such law, and”;

4 (2) by inserting after the second sentence the
5 following: “An officer or employee of an agency de-
6 scribed in the preceding sentence who publishes, di-
7 vulges, discloses, or makes known in any manner or
8 to any extent not authorized by Federal law any in-
9 formation obtained under the authority granted by
10 this subsection shall be subject to section 1905 of
11 title 18 of the United States Code.”; and

12 (3) in the last sentence by striking “Such pur-
13 poses shall not exclude” and inserting the following:
14 “Such regulations shall establish the criteria to be
15 used by the Secretary to determine that such infor-
16 mation is needed. Such regulations shall not pro-
17 hibit”.

18 **SEC. 4. DEMONSTRATION PROJECTS TESTING ACTIVITIES**

19 **DIRECTED AT STREET TRAFFICKING IN COU-**
20 **PONS.**

21 Section 17 of the Food Stamp Act of 1977 (7 U.S.C.
22 2026) is amended by adding a new subsection (1) at the
23 end thereof as follows—

24 “(1) The Secretary shall use up to \$4 million
25 of funds provided in advance in appropriations Acts

1 for projects authorized by this section to conduct
2 projects in which State or local food stamp agencies
3 test innovative ideas for working with State or local
4 law enforcement agencies to investigate and pros-
5 ecute coupon street trafficking by recipients, buyers,
6 and authorized retail food stores.”.

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